

1653 #11  
PATENT

Case Docket No. GENENT.057CP2

Date: March 28, 2002

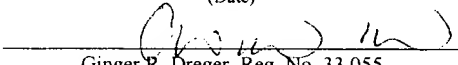
Page 1

In re application of : DeSauvage et al.  
App. No. : 09/813,775  
Filed : March 20, 2001  
For : NOVEL CHIMPANZEE  
ERYTHROPOIETIN  
(CHEPO) POLYPEPTIDES  
AND NUCLEIC ACIDS  
ENCODING THE SAME  
Examiner : Unknown  
Art Unit : 1653

I hereby certify that this correspondence and all marked  
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March 28, 2002

(Date)

  
Ginger R. Dreger, Reg. No. 33,055

## TRANSMITTAL LETTER

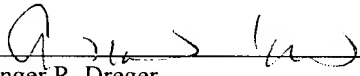
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Sir:

Enclosed for filing in the above-identified application are:

- (X) Original Declaration and Power of Attorney signed by Inventors.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

  
Ginger R. Dreger  
Registration No. 33,055  
Attorney of Record



#10

**DECLARATION AND POWER OF ATTORNEY- USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled NOVEL CHIMPANZEE ERYTHROPOIETIN (CHEPO) POLYPEPTIDES AND NUCLEIC ACIDS ENCODING THE SAME; the specification of which was filed on March 20, 2001 as Application Serial No. 09/813,775:

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S.A. Application(s)

Application Serial No. 09/522,265 Filing Date: April 19, 2000 Status: Pending  
which is a continuation-in-part of application Serial No. 09/307,307 filed on May 7, 1999.

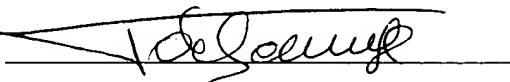
**POWER OF ATTORNEY:** I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, **Customer No. 20,995.**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

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SERIAL 160912900

Full name of first inventor: **Frederic DeSavage**

Inventor's signature



Date

3/7/02

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Citizenship: **Belgium**

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Full name of Second inventor: **Dennis J. Henner**

Inventor's signature

\_\_\_\_\_

Date

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Full name of first inventor: **Frederic DeSavage**

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